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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/713,783

11/14/2003

Forrest K. Blair

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KUNZLER & ASSOCIATES

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SALT LAKE CITY, UT 84111

EXAMINER

TANK, ANDREW L

ART UNIT

PAPER NUMBER

2112

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/713,783

Applicant(s)

BLAIR ET AL.

Examiner

Andrew Tank

Art Unit

2100

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/14/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/14/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the original filing of November 14th, 2003. Claims 1-30 are pending and have been considered below.

Specification

2. The disclosure is objected to because of the following informalities: Page 20 of the Specification, paragraph [0078] lines 3-5 state "In a further embodiment, the selector 704 may control the distance marker 710. For example, a user may rotate the selector 704 in order to change the calculated distance the distance marker 710 and an origin.." The examiner believes that when applicant refers to distance marker 710, applicant is actually referring to distance marker 708 as shown in the drawings.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 5 recites the limitation "the tracing image" in line 2. There is insufficient antecedent basis for this limitation in the claim. For the current prosecution, the examiner will interpret "the tracing image" as "a tracing image".
5. Claim 6 recites the limitation "the tracing image" in line 2. There is insufficient antecedent basis for this limitation in the claim. For the current prosecution, the examiner will interpret "the tracing image" as "a tracing image".

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-2, 9-11, 17, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,809,179 (**Marimont et al.**).

Claims 1 and 24: **Marimont et al.** disclose an apparatus for creating an electronic description of a geographic site, the apparatus comprising: an electronic drafting program configured to import an image file, the image file comprising a plurality of image elements (col 10 lines 23-54), and to electronically trace at least one of the image elements, creating a tracing element (col 12 lines 34-67, col 13 lines 1-67, col 14 lines 1-22, Fig. 3, Fig. 5, image structure maps and image region boundaries) ; a digitization module configured to associate definition data with the image element, the definition data at least partially descriptive of the image element (col 13 lines 3-6 “signal property descriptor”); and a capture module configured to store the tracing element and the definition data in a capture file, the capture module within one of the electronic drafting program and the digitization module (col 15 lines 6-20).

Claim 2: **Marimont et al.** disclose an apparatus as in claim 1 above, wherein the digitization module further comprises a definition module configured to access the definition data from a definition data file (col 13 lines 35-58).

Claim 9: **Marimont et al.** disclose an apparatus as in claim 1 above, further comprising a rendering module configured to create a rendering policy, the rendering policy descriptive of the rendering procedure employed to render the tracing element (col 14 lines 23-61, col 15 lines 1-5, rendering operations).

Claim 10: **Marimont et al.** disclose an apparatus as in claim 1 above, further comprising a graphical processing module configured to access the capture file and convert the capture file to a user file (col 15 lines 6-20).

Claim 11: **Marimont et al.** disclose an apparatus as in claim 10 above, wherein the user file is one of a print file, a compressed user file, a library database, and a graphic file (col 15 lines 6-7).

Claim 17: **Marimont et al.** disclose an apparatus as in claim 10 above, wherein the graphical processing module comprises a compression module, the compression module configured to compress the user file and to create a compressed user file (col 15 lines 6-45).

8. Claims 18-19, and 22 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent Application Publication 2002/0082775 (**Meadows et al.**).

Claim 18: **Meadows et al.** disclose a system for communicating an electronic description of a geographic site, the system comprising: a wireless communication network (page 9 [0189] lines 4-5); a distribution server configured to store one or more user files (page 9 [0189] lines 7-10); and a user interface apparatus (page 9 [0189] line 4) configured to communicate with the distribution server via the wireless communication network and to receive the one or more compressed user files (page 9 [0189] lines 10-12), the

Art Unit: 2100

compressed user files corresponding to the user files on the distribution server and descriptive of a geographic site (page 9 [0189] lines 4-5).

Claim 19: Meadows et al. disclose a system as in claim 18 above, wherein the user interface apparatus comprises a file update module, the file update module configured to communicate with the distribution server via the wireless communication network and to receive a user update file to update the user file (page 9 [0189] lines 19-25).

Claim 22: Meadows et al. disclose a system as in claim 18 above, wherein the user interface apparatus comprises a distance module, the distance module configured to display a control point and at least one distance marker graphically represented on the user interface apparatus, to allow a user to adjust the distance marker on the user interface apparatus, and to calculate a distance between the control point and the distance marker (page 4 [0057] lines 1-6).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 7-8, 16, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,809,179 (Marimont et al.)

Claim 7: Marimont et al. disclose an apparatus as in claim 1 above, but does not specifically disclose that the image file is a satellite photo of a golf course, or that the

definition data includes hole number, hole par, and hole distance. However, Marimont et al. do disclose that if the image file is of a house (a geographic site, Fig. 3) then the associated definition data includes color, shading, ceiling vertices, and floor vertices (Fig. 10-11). It would have been obvious for one of ordinary skill in the art at the time the present invention was made that an image file could be of a particular geographic site, and that there would exist data associated with that site to further define it. One would have been motivated to use a satellite photo as satellite photos provide highly detailed aerial shots of geographic site.

Claim 8: Marimont et al. disclose an apparatus as in claim 1 above, but does not specifically disclose that the image elements represents one of a tee box, a fairway, a putting green, a cup, a sand trap, a water hazard, a tree, a building, a road, and a cart path. However, Marimont et al. do disclose that if the image file is of a house (a geographic site, Fig. 3) then the associated image elements includes floor regions and ceiling regions (Fig. 10-11). It would have been obvious for one of ordinary skill in the art at the time the present invention was made that an image file could be of a particular geographic site, and that there would exist image elements associated with that site. One would have been motivated to use a satellite photo as satellite photos provide highly detailed aerial shots of geographic site, allowing one to clearly define elements.

Claims 16 and 27: Marimont et al. disclose an apparatus as in claim 10 and 24 above, but do not specifically disclose that the graphical processing module comprises a parse module, the parse module configure to parse the tracing element and to discard a non-critical data point, wherein discarding a non-critical data point comprises identifying a

Art Unit: 2100

best fit curve to approximate the tracing image and discarding a data point that is not required to describe the best fit curve. However, the examiner notes that the above graphical processing module describes antialiasing. Official Notice is taken that it is old and well known in the graphical computer arts to apply antialiasing to an image which has been converted from a high resolution with large file size to a lower one with small file size. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply antialiasing to the tracing elements. One would have been motivated to apply antialiasing in order to limit file size and still produce smooth results.

11. Claims 20-21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2002/0082775 (Meadows et al.)

Claims 20 and 21: Meadows et al. disclose a system as in claim 18 above, and further discloses that the user interface apparatus comprises a menu navigation module, the menu navigation module configured to create and display a hierarchical menu (page 3 [0049] lines 4-8). Meadows et al. do not specifically disclose that the menu is configured to facilitate user navigation and selection using a selector having both rotational and depressive control. However, Meadows et al. do disclose using a PDA or another small processing device with a display. PDAs typically use a touch screen/stylus combination and other small processing devices including laptops can use mice or trackballs as input devices. All three input systems have rotational and depressive elements. It would have been obvious to one of ordinary skill in the art at the time of the present invention to use

Art Unit: 2100

an input device having rotation and depressive elements. One would be motivated to use such an input device in order to facilitate ease of use for a mobile user on the go.

Claim 23: Meadows et al. disclose a system as in claim 22 above, but do not specifically disclose that the distance marker is an arcuate line having an origin at the control point and having an adjustable arc length. However, Meadows et al. do show the calculation of elevation and golfing trajectories (page 7 [0148]). It would have been obvious to one of ordinary skill in the art at the time of the present invention that displaying the distances with the gathered elevation/trajectory information would result in a curve. One would be motivated to show the curved data in order to correctly convey trajectory information to a user.

12. Claims 3-6, 12-15, 25-26, 28-29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,809,179 (Marimont et al.) in view of U.S. Patent Application Publication 2002/0082775 (Meadows et al.).

Claims 3 and 25: Marimont et al. disclose an apparatus as in claim 1 and 24 above, but do not disclose the digitization module further comprising an identification module configured to identify each of the plurality of image elements as one of a primary image element, a secondary image element, or a tertiary image element. However, Meadows et al. disclose having various target and avoidance objects (Meadows et al. page 4 [0057] lines 1-6). These are primary elements because they are deemed more important (primary) by Meadows et al. He also discloses the center of the green, zones on the green, bunkers, water, trees, hazards, etc. (Meadows et al. page 2 [0042] lines 9-10). These may or may not be deemed important (secondary) when Meadows et al. determine

various target and avoidance objects. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to prioritize image elements. One would have been motivated to do this in order to separate important elements from unimportant elements in order to calculate distances between important elements while not having unimportant elements take up space in the apparatus memory.

Claim 4: **Marimont et al.** disclose an apparatus as in claim 3 above, but do not disclose the digitization module further comprising a key reference module configured to identify a key reference element, the key reference element selected from one of the primary image elements. **Meadows et al.** do show the use of reference points (**Meadows et al.** page 3 [0051] lines 7-13). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made for a key reference module to use reference points. One would have been motivated to do this in order to eventually determine the distance between a reference point and a target or avoidance object.

Claims 5 and 6: **Marimont et al.** disclose an apparatus as in claim 1 above, but do not disclose that the image element is a primary or secondary image element, or that the tracing element is a primary or secondary tracing element. However, **Meadows et al.** disclose having various target and avoidance objects (**Meadows et al.** page 4 [0057] lines 1-6). These are primary elements because they are deemed more important (primary) by **Meadows et al.** He also discloses the center of the green, zones on the green, bunkers, water, trees, hazards, etc. (**Meadows et al.** page 2 [0042] lines 9-10). These may or may not be deemed important (secondary) when Meadows et al. determine various target and avoidance objects. Therefore, it would have been obvious to one of ordinary skill in the

Art Unit: 2100

art at the time the invention was made to prioritize image and tracing elements. One would have been motivated to do this in order to separate important elements from unimportant elements in order to calculate distances between important elements while not having unimportant elements take up space in the apparatus memory.

Claim 12: **Marimont et al.** disclose an apparatus as in claim 10 above, but do not disclose the graphical processing module comprising a communication module communicating a representation of the user file to a user via a user interface device.

However, **Meadows et al.** do disclose selectively displaying data as text or graphically on a PDA screen (**Meadows et al.** page 2 [0043] lines 19-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display a representation of the user file on a user interface device. One would have been motivated to do this in order to convey useful information to the user.

Claim 13: **Marimont et al.** disclose an apparatus as in claim 10 above, but do not disclose the graphical processing module comprising an offset module, the offset module configured to calculate an element offset, the element offset relative from the tracing element to a key reference element. However, **Meadows et al.** do disclose reference points (**Meadows et al.** page 3 paragraph [0051] lines 7-13) and automatically determining distances to various target and avoidance objects (**Meadows et al.** page 4 [0057] lines 1-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to determine the distance (offset) to various target and avoidance objects using a reference point. One would have been motivated to do this in order to provide a user with useful data regarding distances between objects.

Claim 14: Marimont et al. disclose an apparatus as in claim 10 above, but do not disclose the graphical processing module comprising an offset module, the offset module configured to calculate an element offset, the element offset relative from the tracing element to another tracing element. However, Meadows et al. do disclose automatically determining distances to various target and avoidance objects (Meadows et al. page 4 [0057] lines 1-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to determine the distance (offset) to and between various target and avoidance objects. One would have been motivated to do this in order to provide a user with useful data regarding distances between objects.

Claim 15: Marimont et al. disclose an apparatus as in claim 10 above, but do not disclose that the graphical processing module is further configured to associate an element offset with the tracing element and to store the tracing element and the element offset in the user file. However, Meadows et al. do disclose the recording of distance information for a selected target (Meadows et al. Fig. 4). Therefore it would have been obvious for one of ordinary skill in the art at the time of the present invention to record associated distance information for a selected target in a file. One would be motivated to do this in order to access this distance information at a later time.

Claim 26: Marimont et al. disclose a method as in claim 24 above, but do not disclose that the method is further configured to associate an element offset with the tracing element and to store the tracing element and the element offset in the user file. However, Meadows et al. do disclose the recording of distance information for a selected target (Meadows et al. Fig. 4). Therefore it would have been obvious for one of ordinary skill

in the art at the time of the present invention to record associated distance information for a selected target in a file. One would be motivated to do this in order to access this distance information at a later time. Marimont et al. disclose an apparatus as in claim 10 above, but do not that the method further calculating an element offset, the element offset relative from the tracing element to another tracing element. However, Meadows et al. do disclose automatically determining distances to various target and avoidance objects (Meadows et al. page 4 [0057] lines 1-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to determine the distance (offset) between various target and avoidance. One would have been motivated to do this in order to provide a user with useful data regarding distances between objects.

Claim 28: Marimont et al. disclose a method as in claim 24 above, and further disclose creating a user file from the capture file (Marimont et al. col 15 lines 6-20) and compressing the user file (Marimont et al. col 15 lines 6-45). Marimont et al. do not disclose communicating the user file from a distribution server to a user interface apparatus via a wireless communication channel. However, Meadows et al. do disclose a user interface apparatus receiving files from a server storing user files via a wireless communication network (Meadows et al. page 9 [0189] lines 4-25). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the present invention to store the compressed user file on a server and communicate the file via wireless network to a user interface device from the server. One would have been motivated to do this in order to allow the user to use a mobile device such as a PDA to receive the image capture files while in the field, allowing greater ease of use for the user.

Claim 29: **Marimont et al.** disclose a method as in claim 24 above, but do not disclose that the method further comprises displaying a representation of the user file on the user interface apparatus. However, **Meadows et al.** do disclose displaying a user file on an apparatus (**Meadows et al.** page 1 [0009] lines 1-3). Therefore it would have been obvious for one of ordinary skill in the art at the time of the present invention to display a representation of the user file on an interface apparatus. One would have been motivated to do this in order to convey information to the user. **Marimont et al.** also do not disclose facilitating user navigation of a hierarchical menu and selection of menu items using a selector having both rotational and depressive control, the selector configured to allow a user to manipulate the user interface apparatus, including menu navigation, menu selection, graphical display, and user input, using a single hand. However, **Meadows et al.** further disclose that the user interface apparatus comprises a menu navigation module, the menu navigation module configured to create and display a hierarchical menu (**Meadows et al.** page 3 [0049] lines 4-8). **Meadows et al.** do not specifically disclose that the menu is configured to facilitate user navigation and selection using a selector having both rotational and depressive control. However, **Meadows et al.** do disclose using a PDA or another small processing device with a display. PDAs typically use a touch screen/stylus combination and other small processing devices including laptops can use mice or trackballs as input devices. All three input systems have rotational and depressive elements. It would have been obvious to one of ordinary skill in the art at the time of the present invention to use an input device having rotation and depressive

elements. One would be motivated to use such an input device in order to facilitate ease of use for a mobile user on the go.

Claim 30: **Marimont et al.** disclose a method for communicating an electronic description of a geographic site, the process comprising:

a. importing an image file, the image file having a plurality of image elements

(**Marimont et al.** col 10 lines 23-54);

b. accessing a plurality of definition data, the definition data at least partially descriptive of the image elements in the image file (**Marimont et al.** col 13 lines 3-6 “signal property descriptor”);

c. **Marimont et al.** do not disclose the method further comprising identifying each of the plurality of image elements as one of a primary image element, a secondary image element, or a tertiary image element. However, **Meadows et al.** disclose having various target and avoidance objects (**Meadows et al.** page 4 [0057] lines 1-6). These are primary elements because they are deemed more important (primary) by **Meadows et al.** They also discloses the center of the green, zones on the green, bunkers, water, trees, hazards, etc. (**Meadows et al.** page 2 [0042] lines 9-10). These may or may not be deemed important (secondary) when Meadows et al. determine various target and avoidance objects. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to prioritize image elements. One would have been motivated to do this in order to separate important elements from unimportant elements in order to calculate distances between important elements while not having unimportant elements take up space in the apparatus memory.

- d. Marimont et al. do not disclose the method further comprising identifying a key reference element, the key reference element selected from one of the primary image elements. However, Meadows et al. do show the use of reference points (Meadows et al. page 3 [0051] lines 7-13). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made for a key reference module to use reference points. One would have been motivated to do this in order to eventually determine the distance between a reference point and a target or avoidance object.
- e. electronically tracing each of the primary and secondary image elements to create a corresponding primary and secondary tracing element (Marimont et al. col 12 lines 34-67, col 13 lines 1-67, col 14 lines 1-22 for description of image structure maps and image region boundaries);
- f. associating a portion of the definition data with at least one of the tracing elements (Marimont et al. col 13 lines 3-6 “signal property descriptor”);
- g. storing the tracing elements and associated definition data in a capture file (Marimont et al. col 13 lines 35-58);
- h. accessing a capture file, the capture file comprising a key reference element and at least one primary tracing element (Marimont et al. col 15 lines 6-20).;
- i. Marimont et al. do not disclose identifying the key reference element, the key reference element having a key reference offset from a known capture file reference; identifying the primary tracing element; calculating an element offset, the element offset relative from the primary tracing element to the key reference element. However, Meadows et al. do disclose reference points (Meadows et al. page 3 paragraph [0051]

lines 7-13) and automatically determining distances to various target and avoidance objects (Meadows et al. page 4 [0057] lines 1-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to determine the distance (offset) to various target and avoidance objects using a reference point. One would have been motivated to do this in order to provide a user with useful data regarding distances between objects.

j. Marimont et al. do not disclose associating the element offset with the primary tracing element. However, Meadows et al. do disclose the recording of distance information for a selected target (Meadows et al. Fig. 4). Therefore it would have been obvious for one of ordinary skill in the art at the time of the present invention to record associated distance information for a selected target in a file. One would be motivated to do this in order to access this distance information at a later time.

k. Marimont et al. do not specifically disclose parsing the primary tracing element and discarding a non-critical data point; wherein discarding comprises identifying a best fit curve to approximate the tracing image and discarding a data element that is not required to describe the best fit curve. However, the examiner notes that the above graphical processing module describes antialiasing. Official Notice is taken that it is old and well known in the graphical computer arts to apply antialiasing to an image which has been converted from a high resolution with large file size to a lower one with small file size. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply antialiasing to the tracing elements. One would

Art Unit: 2100

have been motivated to apply antialiasing in order to limit file size and still produce smooth results.

l. Marimont et al. do not disclose storing the key reference element, the parsed primary tracing element, and the element offset in a user file. However, Meadows et al. do disclose the recording of distance information for a selected target (Meadows et al. Fig. 4). Therefore it would have been obvious for one of ordinary skill in the art at the time of the present invention to record associated distance information for a selected target in a file. One would be motivated to do this in order to access this distance information at a later time.

m. compressing the user file to create a compressed user file (Marimont et al. col 15 lines 6-45);

n. Marimont et al. disclose creating a user file from the capture file (Marimont et al. col 15 lines 6-20) and compressing the user file (Marimont et al. col 15 lines 6-45). Marimont et al. do not disclose communicating the user file from a distribution server to a user interface apparatus via a wireless communication channel. However, Meadows et al. do disclose a user interface apparatus receiving files from a server storing user files via a wireless communication network (Meadows et al. page 9 [0189] lines 4-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the present invention to store the compressed user file on a server and communicate the file via wireless network to a user interface device from the server. One would have been motivated to do this in order to allow the user to use a mobile device such as a PDA to receive the image capture files while in the field, allowing greater ease of use for the user.

o. Marimont et al. do not disclose distributing a user update file to the user at a point of sale via a wireless communication channel. However, Meadows et al. disclose the user interface apparatus comprising a file update module, the file update module configured to communicate with the distribution server via the wireless communication network and to receive a user update file to update the user file (Meadows et al. page 9 [0189] lines 19-25). Further, the examiner considers it immaterial that the user is at a point of sale at the time of distribution. It would have been obvious to one of ordinary skill in the art at the time of the present invention to distribute a user update file to a user via a wireless communication channel. One would have been motivated to do it this way in order to allow the user greater flexibility in physical location when they receive the update.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. U.S. Patent 4,984,270 Kidney et al. "Image processing and map production systems"
- b. U.S. Patent 6,084,989 Eppler "System and method for automatically determining the position of landmarks in digitized images derived from a satellite-based imaging system".
- c. U.S. Patent 6,128,577 Assa et al. "Modeling geological structures and properties"

Art Unit: 2100

- d. U.S. Patent 6,282,362 Murphy et al. "Geographical position/image digital recording and display system"
- e. U.S. PGPUB 2002/0075511 Lorne "Process for visualizing geographic sites"
- f. U.S. Patent 7,118,498 Meadows et al. "Personal golfing assistant and method and system for graphically displaying golf related information and for collection, processing and distribution of golf related data"

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Tank whose telephone number is 571-270-1692. The examiner can normally be reached on Mon - Fri (Alt. Fri Off) 0730-1500 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Myhre can be reached on 571-270-1065. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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ALT
January 10, 2007


James W. Myhre
Supervisory Primary Examiner